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PTO/SB/31

NOTICE TO APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number 38413.7

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted to  
Group Art Unit 2832, 703-872-9306, addressed to: Commissioner  
for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: July 12, 2004

  
Christopher A. Bennett

In re Application of Tsukasa YAMAMOTO et al.

Application Number 09/221,656

Filed December 23,  
1998Title: PRODUCTION SYSTEM FOR RETAIL GOODS  
AND RAW MATERIAL ORDERING SYSTEM

Art Unit 3628

Examiner F. Pointvil

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the  
examiner dated April 13, 2004.

The fee for this Notice of Appeal is (37 CFR 1.17 (b))

\$330.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore the fee  
shown above is reduced by half, and the resulting fee is: \$
- ☐ A check in the amount of the fee is enclosed.
- ☒ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner has already been authorized to charge fees in this application to a  
Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☐ The Commissioner is hereby authorized to charge any fees which may be required, or credit  
any overpayment to Deposit Account No. 50-1353. I have enclosed a duplicate  
copy of this sheet.
- ☐ A Petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included in this  
form. Provide credit card information an authorization on PTO-2038.**

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR  
3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)
- ☐ attorney or agent of record. Registration Number
- ☒ attorney or agent acting under 37 CFR 1.34(a)  
Registration number if acting under 37 CFR 1.34(a)  
46,710.

  
Christopher A. Bennett

July 12, 2004

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit  
Multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_ forms are submitted

AP\$

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KEATING & BENNETT LLP

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<b>To:</b> Examiner Poinvil	<b>From:</b> Joseph R. Keating
<b>Fax:</b> 703-872-9306	<b>Date:</b> July 12, 2004
<b>Phone:</b> 703-305-9779	<b>Pages:</b> 3
<b>Re:</b> 09/221,656 38413.7	<b>CC:</b>

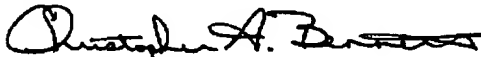
**•Comments:**

Examiner Poinvil:

Please find attached the following documents for the above-identified application:

1. Notice of Appeal; and
2. Credit card form payment in the amount of \$330.00.

Respectfully submitted,



Christopher A. Bennett  
for  
KEATING & BENNETT, LLP  
(Reg. No. 46,710)

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